

Steve Sisolak
Governor



DEPARTMENT OF
HEALTH AND HUMAN SERVICES

DIRECTOR'S OFFICE

Helping people. It's who we are and what we do.



Richard Whitley, MS
Director

July 18, 2022

Director Richard Whitley, MS
State of Nevada
Department of Health and Human Services
400 West King St, Suite 300
Carson City, NV, 89703

Dear Director Whitley:

On behalf of the Home Care Employment Standards Board (HCESB) created by Senate Bill (SB) 340, it has been recommended that the Department of Health and Human Services (DHHS) request a hearing on the Medicaid manuals that affect personal care to make a change that requires personal care agencies to only be permitted to hire W2 employees and ban the hiring of independent contractors by personal care agencies.

The motion calling for this recommendation passed by the Board during the June 28, 2022, HCESB meeting and fulfills Section 16.2(a) of SB 340:

A The adequacy of wage rates and other compensation policies of home care employers to ensure the provision of quality services and sufficient levels of recruitment and retention of home care employees;

The realization of this recommendation would ensure workers under a personal care agency have access to the benefits and stability being an employee offers, as well as prevent misclassifications of workers as independent contractors by personal care agencies.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Cody H. Phinney".

Cody Phinney
Chair of the Home Care Employment Standards Board
Deputy Administrator
Nevada Department of Health and Human Services, Division of Public and Behavioral Health